

## HOUSE-FLY FACES DEATH SENTENCE

Swat Campaign Started, With Cash for Champion Killers.

## TIMES-DISPATCH OFFERS PRIZES

Richmond Children Will Compete in Movement Conducted by Health Department to Rid City of Its Greatest Pest. Buchanan Hits Men Higher Up.

The sentence of death was pronounced against the deadly house-fly yesterday afternoon when a representative body of citizens met in the office of Dr. E. C. Levy, in the City Hall, and organized a "Citizens Fly extermination association," and put into motion plans for a city-wide "swat-the-fly" campaign. The immediate act of offensive warfare will be a "swat-the-fly" contest, conducted jointly by the City Health Department and The Times-Dispatch.

While full details of the contest and the rules which will govern it will not be available until after the meeting of the contest committee to-day, it will follow the general lines observed in similar contests in other cities, notably Washington and Cleveland. The Times-Dispatch will offer \$100 in prizes to regularly enrolled pupils of the public schools of the city and all other Richmond children who kill the largest number of flies from June 4 to June 17, the period of the contest. Of this money, \$45 will be set aside in cash prizes for white children and \$55 for colored children.

Health Department in Charge. While the fly-swatting contest proper is its initiative, the City Health Department for some weeks has had under way another form of war against the household pest, and will take complete charge of every feature of the contest except that connected with the award of prizes, which will be managed by this paper.

According to tentative plans discussed at yesterday's meeting, the Times-Dispatch will furnish every contestant with the necessary swatting implements, while the measuring and crediting of the number of flies killed by the contestants will be performed by the health authorities.

Prizes. A contest was entered into the meeting yesterday when Rev. James Buchanan, Superintendent of the Associated Charities, found it necessary to state what he looked upon as an undesirable state of affairs in the city police department.

In the course of a general discussion of plans looking to the elimination, as far as possible, of all refuse offering favorable breeding places for flies, it was suggested that a rigid application of the penalty by police justices when indictments are brought against persons by the Health Department would go a long way in discouraging the keeping of nuisances.

Dr. A. W. Freeman, Assistant State Health Commissioner, suggested as a good plan that the police be asked to aid the health officers in reporting persons who maintain upon their premises unsanitary stables and similar premises which offer breeding media for flies. The suggestion stirred Mr. Buchanan into airing a few personal views.

"I think that the city policemen could render a great service in this way," he said. "I think they would be glad to do it. Although our policemen are perhaps the most maligned persons in the entire city, I am certain that they stand ready to all certain that they stand ready to all certain to discharge their duty. The trouble does not lie with them. It is higher up. As soon as one of them presumes to report an abuse which affects the interests of an influential citizen, the latter at once gets to work pulling the wires, with the result that the charge is dismissed and the patrolman is in danger of losing his position."

"Our policemen," said Dr. Buchanan, turning to Dr. Levy, "are handicapped in the discharge of their duty in the same way that your health inspectors are. Your men report nuisances, but the police courts have to impose the fines before anything is done. Our patrolmen either report or they are willing to report irregularities, but the pressure from higher up largely counteracts their usefulness."

Effect Permanent Organization. The Citizens Fly Extermination Association, through the advisory committee which was present at yesterday's meeting, organized permanently with the following officers: Chairman, Rev. H. D. C. MacLachlan, D. D.; Vice-Chairman, Dr. F. M. Reade, and Secretary, Dr. C. C. Hudson.

The advisory committee, all the members of which were present at yesterday's meeting, consists of Dr. George W. McDaniel, Dr. James Buchanan, Dr. E. C. Levy, N. D. Silas, C. F. Walford, Jr., Allen Potts, W. T. Dabney, Dr. A. W. Freeman, Dr. Ennon G. Williams, Dr. C. C. Hudson, Rev. H. D. C. MacLachlan, D. D., Miss Anne Kelly, A. H. Strauss, Samuel K. McVie, Countess Elizabeth Cocke, Albert H. Hill, J. St. George Bryan, Mayor D. C. Richardson, Lewis McK. Juddkins and Louis I. Jaffe.

Standing committees were appointed as follows: Contest—N. D. Silas, chairman; Dr. C. C. Hudson, Dr. E. G. Williams, Publicity and exhibits—Dr. A. W. Freeman, Lewis McK. Juddkins, C. K. McKee. Co-operation with churches—Dr. George W. McDaniel, Rev. James Buchanan, Rev. W. Russell Bowie. Co-operation with schools—Dr. J. A. Chandler, Albert H. Hill, Miss Anne Kelly. Law enforcement—Mayor D. C. Dabney, Sean-up day—Julius Wolf, Henry Cohen, Miss Elizabeth Cocke.

Will Be War Unfit Death. The organization thus affected announced its intention to wage unceasing warfare against the fly and its

## BEGINS ITS FIGHT TO SAVE CLAUDE

Defense Seeks to Destroy Case Built Up by State.

## FIRST EVIDENCE NOT VERY STRONG

Chief Witness Proves More Profitable to Commonwealth Than to Accused, and Byrd Marion's Testimony Is of Doubtful Benefit—Judge Rebukes Lawyers.

(Special From Staff Correspondent.) Wytheville, Va., May 27.—A simple, uneducated mountain farmer of Carroll county matched wits with one of the keenest cross-examining lawyers of Southwest Virginia for more than an hour to-day and suffered little from the contest.

Byrd Marion, jointly indicted for complicity in the Hillsville courthouse tragedy of March 14 with the Allens and Edwardses, this afternoon testified in behalf of Claude Swanson Allen, who has been on trial a week for the murder of Judge Thornton L. Massie in the shooting that started the country over a mob case.

After Attorney R. Holman Willis, chief counsel for the defendant, had led Byrd through the story of the Carroll county affair as Byrd viewed it, the feature of the day came when Attorney Walter S. Poage, of counsel for the Commonwealth, conducted a rigorous cross-examination.

Whenever Mr. Poage became too penetrating in his queries Byrd resorted to the customary safeguard of the mountain farmer, "I don't know." At other times the witness evaded the State's attorney by answering with totally irrelevant replies that proved more than once annoying to the lawyers.

Not Much Help to Claude. It is doubtful if Byrd Marion's testimony helped Claude—indeed, the Commonwealth to-night expresses a contrary view entirely—but at least his testimony did no great harm to the cause of the young Carroll county man, whose father is under suspended sentence of death for a crime committed at the same time Claude is alleged to have murdered Judge Massie.

The defense seemed at first reluctant to put Marion on the witness stand this afternoon, but when the midday train did not bring expected witnesses Attorney Willis called Byrd to testify.

Excited from the fall by a couple of exciting trials, the detective had created interest as he marched into the courtroom, where a few days ago he had been released under \$1,000 bail, only to be rearrested the same night at Pulaski and brought back to the Wytheville jail. Byrd was dressed in the same suit of upland flannel given to him at Galax by some women when the prisoners were brought here from Hillsville jail the time the change of venue was granted on April 23. It was handcuffed from the time he left the jail until he entered the courtroom.

Byrd Marion's Story. Byrd Marion's story, summarized as follows: "I was feeling sick when I was first summoned, and didn't go to court until the second day. I think it was Tuesday and I testified that day. The day that the trouble happened I went into the courtroom just after court had opened and sat down on the bench by the stove in the north side of the room. When the judge came in and handed the verdict to the clerk, somebody fixed it and I think Mr. Foster did some writing on a paper—the verdict was read. Floyd Allen got a year in the penitentiary."

"Then Judge Massie told the sheriff to take charge of the prisoner, and Floyd rose up and said, 'Gentlemen, I ain't going.' Then the trouble started right there. There was a shot fired, and a lot of us made for the door. Some one knocked me down, and I was feeling sick, but I did manage to get out of the door without getting hurt much. First I went to the stable back of the Thornton Hotel, and then I went down to the Blankenship stable. I saw Floyd there, and he looked as if he was dying."

"After Dr. Nuckolls had Floyd taken on a cot to Tom Hall's hotel," Attorney Willis led Byrd through questions that Byrd answered in a ready manner, the witness denying that he had a pistol or had seen anybody shoot in the room. He admitted, on cross-examination, however, that he had seen Claude and Sidney Allen with pistols in their hands, Sidney standing on the steps leading to Judge Massie's chair and Claude standing in the direction of the judge or court officers.

Cross-Examination by Poage. Attorney W. S. Poage cross-examined Byrd, and his first question proved puzzling to the witness: "If Floyd Allen's case had been pending since the May term before, why was it that he just had you summoned for the March term?"

After a pause, Byrd answered: "Well, I can't exactly answer you that."

"Were you in the courtroom the day before the shooting?" asked Mr. Poage.

"Yes."

"Didn't you tell Peter Easter there that if Floyd Allen was convicted in that trial there would be trouble?"

Byrd regarded Mr. Poage a brief moment from the corner of his eye, then answered with a toss of his head, "No, sir."

"Didn't you tell Attorney Ward Tompkins in his office the day before the shooting—when you went to his office and had a few drinks with him—that if Floyd Allen was convicted there would be some trouble?"

"No, sir," repeated Byrd. "If I

## GOVERNOR HADLEY COLONEL'S CHOICE

Roosevelt Wants Him to Be Temporary Chairman at Chicago.

## NEW JERSEY WILL CAST VOTE TO-DAY

Candidates Conclude Wild Scramble for Delegates, and Both Are Confident of Success at Polls—Only One State Primary Remains to Be Held.

Jefferson City, Mo., May 27.—In a letter received by Governor Herbert Hadley here to-day, Colonel Theodore Roosevelt asked him to be temporary chairman of the Republican National Convention to be held in Chicago if the Roosevelt forces succeeded in getting control of the convention.

Mr. Hadley will accept if he believes he can best serve his faction of the party, as he has announced, but he would greatly prefer that some other progressive be selected for the place. He so told the Colonel in a letter in answer to his request.

Governor Hadley was one of the eight governors who wrote to Colonel Roosevelt asking him to become a candidate for President before the Colonel announced that he would accept. He was one of the leaders of the Roosevelt faction of the State convention at St. Louis, and was elected chairman of the convention after being defeated in committee for temporary chairman by the Taft adherents.

Campaign Nearly Over. New York, May 27.—The New Jersey State primary election to-morrow will bring practically to a close the spectacular campaign for the presidential nomination that has resulted this year from the adoption by several States of presidential preference laws.

The South Dakota primaries are still in the voting, but it is believed that the voting in New Jersey to-morrow will mark the end of the personal campaign for primary votes that President Taft and Theodore Roosevelt have voiced in many parts of the country.

This State will choose twenty-eight delegates to each national convention, four at large and two each from twelve congressional districts. Each district selects its own delegates, but the delegates-at-large are elected by the vote of the whole State. The primary law also permits voters to express their personal preference for a presidential candidate, but this preference vote has no direct bearing upon division of delegates voted.

The delegates to be voted for are pledged to Taft, Roosevelt or La Follette on the Republican ballots, and to the Democratic ballots for Governor Woodrow Wilson or marked "uninstructed." The Democratic fight has been only between Governor Wilson and his opponents inside the State.

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## FIGHTING FOR NEW JERSEY'S DELEGATION



THEODORE ROOSEVELT.

WILLIAM HOWARD TAFT.

## SEEK WOOD'S HEAD AS CHIEF OF STAFF

Amended Army Bill Would Legislate Him Out of Office.

## ACCEPTED BY CONFEREES IN DEALS WITH JURIST

If Passed, It Will Disqualify Many High Officers From Holding Position.

Washington, May 27.—The army appropriation bill was reported back to the Senate and House to-day by the conferees with anti-administration amendments which would legislate Major-General Wood out of office as chief of staff, and would leave the location and distribution of military posts to a commission.

The amendment which would remove General Wood also would prevent either Brigadier-General Crozier or Funston from ever attaining the office of chief of staff. No officer who has not spent ten years in the line with troops before becoming a brigadier would be eligible. Many army officers charge that the night between the line and the staff recently resulted in the retirement from the army of Major-General Anthon, is responsible for that provision.

Lieutenant-General Young and MacArthur, Major-Generals Randall, Lee and Humphrey, all retired, with two members of the House and two of the Senate, would compose the commission to report to Congress, by January 1, upon location and distribution of army posts, and the proposed abandonment of many recommended by the War Department.

The amendment was not acted upon in either house to-day. A sharp conflict over the amendments is anticipated. Senators Curtis and Smoot blocked immediate action in the Senate by insisting on time to study the changes.

Secretary of War Stimson, in a statement on the proposed action by Congress, said the provision, supposedly aimed at General Wood, would have rendered ineligible for service as chief of staff every one except four of the nineteen generals who have served as commander-in-chief of the American army since General Washington.

Among others, according to Secretary Stimson, it would have disqualified Generals Lee, Jackson, Beauregard, Forrest and Joe Wheeler, of the Confederacy.

"Coming down to modern times," said the secretary, "it permanently disqualifies practically the entire engineer corps—the high honor men of the army—because of their example, Colonel Goethals and all of his assistants on the Panama Canal; General Crozier, the Chief of Ordnance; General Funston, and many other officers."

The conference report left intact the present cavalry strength of the army and struck out the proposed construction of the office establishment of the quartermaster-general, commissary-general and paymaster-general into a "quartermaster's corps." It also eliminated the House proposal that nothing in the bill should be construed to separate any officer from the army or diminish his rank.

The conference agreed that enlisted men should not hereafter be allowed double time for foreign service in computing retirement credit, but allowed additional 10 per cent. increase in pay of officers on foreign service and an additional 20 per cent. in pay of enlisted men on foreign service, not including the Panama Canal Zone.

## SECRETARY KNOX HONORED

At Banquet, He Reviews His Most Gratiating Mission.

New York, May 27.—The recent visit of Secretary of State Knox to ten of the Caribbean republics on a mission of fraternal greetings from this country was pleasantly recognized by the Pan-American Society at its annual banquet here to-night. The society had the Secretary as guest of honor and among the guests were the diplomatic representatives of no less than sixteen Central and South American countries. They listened attentively and accorded applause to the Secretary's review of his "most gratifying mission."

His reiteration of the friendly policy of the United States, and his suggestion for improvement in the mutual relations between the United States and her sister republics.

## WHEN QUESTIONED HIS MEMORY FAILS

Witness Proves Exasperating to Members of Probing Committee.

## IN DEALS WITH JURIST

Lawyer Involved in Negotiations That Brought Trouble to Archbald.

Washington, May 27.—George A. Watson, a lawyer, who was an active participant in coal negotiations with the Delaware, Lackawanna and Western Railroad, which have involved the judicial conduct of Judge Robert W. Archbald, of the Court of Commerce, was a witness before the House Judiciary Committee to-day for three hours.

The witness amused and exasperated the members of the committee. His story of activity in the Scranton coal deals, his replies to questions and his retorts to comments by members of the committee kept the room in a buzz of laughter or argument. Representative Norris, of Nebraska, pinned him down to a categorical answer and asked him to swear to his reply.

"I cannot swear positively to anything," said Mr. Watson.

Wordy War Over Memory. Prior to this Mr. Watson had a wordy war with Representative Webb over his memory. Early in the hearing the witness admitted that he had been in bad health and could not remember everything that had happened a year ago. Mr. Webb reminded him of his intimacy when he remembered minor details of transactions but was hazy on more important ones.

"I have got just as good a memory as you have," said Mr. Watson. "When I am fired up I can remember a lot of things. I'll remember you as long as I live."

"All right," said Mr. Webb, "fire up and remember some of these things." Mr. Watson was employed by C. G. Boland and W. E. Hudson, vice-president of that road, and S. A. Phillips, superintendent of commercial properties of the road. They refused to settle the claim and close the deal at the price he stipulated, \$181,000.

The witness said that before going into the matter he had received Judge Archbald's promise to introduce him to Mr. Loomis, the railroad's vice-president. He had also made a trip to Washington to see Judge Archbald about practice in the Court of Commerce. It developed that he had received \$50 for expenses and had returned to Scranton with three briefs which he received from Judge Archbald. The witness testified to sending telegrams to Judge Archbald and to having received a reply. He spoke to Judge Archbald about the present proceedings on a street in Scranton, he said. He was on his way to church and so was the judge. The congressional investigation was mentioned, but not discussed, Mr. Watson testified.

Denies Stories About Judge. Mr. Watson, in response to questions by A. S. Worthington, attorney for Judge Archbald, made categorical denials of some of the stories circulated about the judge.

One of the Boland brothers quoted Mr. Watson as saying Judge Archbald "would leave your watch and take the chain."

The witness denied that he had said anything of the kind. He also denied that either Judge Archbald or R. A. Phillips was to participate in any profit he might make by settling the Boland claim with the railroad.

No Hope for Wilbur Wright. Dayton, O., May 27.—Late to-night physicians reported that Wilbur Wright was lying in an unconscious condition and was apparently growing much worse. It was stated that his death is expected at any time.

## WARLIKE DISPLAY ONLY PRECAUTION

United States Does Not Intend to Intervene in Cuba.

## TAFT SO TELLS GOMEZ

Fleet Is Wanted Nearby Merely for Protection and Moral Support.

Washington, May 27.—President Taft to-day replied to President Gomez's telegram of yesterday regarding the attitude of the United States toward Cuba. He declared the American government's activities in mobilizing war vessels at Key West, and dispatching the fleet with marines to Guantanamo was not in any sense an intervention move. The following is the text of the message:

"I am sincerely gratified to learn of your government's energetic measures to put down the disturbance and to know that you are confident of being successful. As was fully explained to the Cuban chargé d'affaires here, this government's motive in sending ships to Key West, just as sending the fleet to the Guantanamo naval station, was merely to be able to act promptly in case it should unfortunately become necessary to protect American life and property by rendering moral support or assistance to the Cuban government. As was made quite clear at the time, these ordinary measures of precaution were entirely dissociated from any question of intervention."

(Signed) "WM. H. TAFT."

The State Department to-night emphatically declared that the present Cuban situation in no sense made intervention necessary. No American troops, other than the marines that are on duty at Guantanamo, were expected to be ordered out, it was stated. It was shown that the fund available for the transportation of troops has run low, with the approach of the end of the fiscal year, and any attempt to move troops from posts in this country to Cuba would be costly.

Adheres to Platt Amendment. In addition to this, the department and the administration are anxious to adhere closely to the terms of the Platt amendment, under which the United States intervened in Cuba after the collapse of the Palma administration in 1906. The law, as interpreted by the judge advocate-general of the army, provides that the United States may intervene only "for the preservation of Cuban independence, the maintenance of a government adequate to the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris upon the United States, now to be undertaken by the government of Cuba."

Even with these requirements fulfilled the United States would first endeavor by diplomatic negotiations and peaceful means to settle the affairs of Cuba.

Within the next week the naval colliers Mars, Caesar and Cyclops, and the supply ship Culebra will load coal and supplies at Hampton Roads and steam for Key West, Fla., where they will join the second squadron, as the precautionary fleet has been named by the Navy Department. Orders were issued to-day for the Mars to sail May 28, the Culebra the following day, the Caesar May 31, and the Cyclops on June 4.

## LABOR IS EXTOLLED

Workingman Subject of Perfidious Oratory in House.

Washington, May 27.—Labor was extolled and the workingman honored by more than a score of perfidious orators during the House debate on the naval appropriation bill to-day. Representative Focht, of Pennsylvania, adopted an amendment to the bill providing that hereafter all coal purchased for the navy must be mined under the eight-hour work day law.

A proposed amendment requiring the miners to be paid not less than the union scale of wages was voted down. Representative Focht, of Pennsylvania, Republican, resented an allusion to labor conditions in Pennsylvania made by Representative Heflin, of Alabama. He assailed the conditions in turpentine camps of Alabama and Georgia, where, he said, "were scenes more barbarous and inhuman than could be witnessed in the mines of Siberia."

Representative Heflin and Representative Bartlett and Howard, of Georgia, replied in heated speeches. Adjournment ended the confusion.

The Real Weak Sisters. New York and Washington have all along been regarded as the weak sisters. It has been known for some time that these two cities were far behind the others in drawing capacity. The same that Richmond played in Washington netted the local club just \$8. Other visitors fared not so well. Under such conditions it was a foregone conclusion that the league could expect little support in these towns in the future.

But Landgraf never gave up hope. At a matter of fact, he had not given up all hope last night. He still believed that there was a chance for the resuscitation of the corpse, though in the same breath he offered his ball plant for sale. Whatever may be said

## OUTLAW LEAGUE GIVES UP GHOST

Chicago, New York and Reading Drop Out and Teams Disband.

## COULD NOT PLAY WITHOUT MONEY

Richmond, Cincinnati and Pittsburgh Remain, Richmond Being Real Backbone of New Organization—Two Clubs Had Already Quit When Others Flopped.

## Exhibition Game To-Day

The Rebs and McKinnon's "Pip-players" of the exhibition games here to-day, to-morrow and Thursday (Decoration Day). Two games will be played Decoration Day, one in the morning and one in the afternoon. The proceeds from these games will go to the players.

BY GUS MALBERT. The United States League of Professional Baseball Clubs is dead.

The final and irreparable collapse happened last night, when, according to dispatches received here, the Chicago, New York and Reading clubs gave up the ghost, preferring to bury the losses already accumulated, rather than face future losses of which they knew not.

The news will not be startling to readers of The Times-Dispatch. Promotions of the league were printed in these columns as early as last Thursday morning. Vicifications from E. C. Landgraf, of Richmond, and Hugh McKinnon, of Cincinnati, club, for a time lulled the apprehension of both players and public struggling gamely on the Western members of the league made the trip East, glowing reports from the office of the league's president probably lent courage to those who had been wavering about the league. Actual box-office receipts showed the true state of affairs.

Failed to Find Witman. Last night, Landgraf and McKinnon used every known method of communication for the purpose of reaching in touch with those who might know, but without avail. Neither the telephone nor the telegraph could find President Witman. A meeting of the league moguls was supposed to have been held at the Imperial Hotel in New York, but at that place all the information which could be obtained was to the effect that President Witman had left. John J. Ryan, owner of the Cincinnati club, was also beyond reach of the wires. What has become of either or both of these magnates is not known at this time.

Chicago was scheduled yesterday to play New York in New York. When the Windy City losses arrived on the field they found a manager missing. Nearly fifty people were gathered in the park at Bronx Oval to witness the contest. Feeling that this vast host would hardly pay for fare downtown to the hotel, the players decided to call the game off.

Only Three Clubs Left. In Washington there is no ball club. Owned by the city, the United States League spent itself in its early hours by promising more than it could provide. Here in Richmond, the people were ready and glad to receive the new organization. In the larger cities of the circuit, conflicting dates with the major league clubs gave an opportunity for comparison which did not react with credit to the newer league. An added unfortunate feature was the fact that in every big league city of the circuit the clubs were going strong. Naturally, they kept down the attendance at the opposition games.

Richmond Its Backbone. Richmond was the backbone of the league. In the early days, or rather in the formative period, it was to Richmond that the magnates looked. For the benefit of the unthinking it should be emphatically put down right now that Richmond made good. Also be it added that E. C. Landgraf has made good. He has always been ready and willing to stay with Richmond. He is ready and willing now to continue, and he hasn't a great many good words to say for his sometime colleagues who have given up unceremoniously quit the camp.

The big surprise is the defection of Reading. Ever since the first whisperings that the league was about to be born, Reading has been placed in a class with Richmond. But the Pennsylvania town has not made good. The influence of president Witman has caused the sturdy sons of that conservative town to visit the ball park in sufficient numbers to make it profitable.

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